

HOUSE No. 2042

By Ms. Balser of Newton, petition of Ruth B. Balser and others that the Department of Public Health and the Department of Mental Health be required to adopt regulations for the protection of mentally ill patients in emergency rooms of hospitals. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Ruth B. Balser	John P. Fresolo
Patricia D. Jehlen	Barbara A. L'Italien
Susan C. Fargo	John W. Scibak
Jennifer L. Flanagan	Robert A. Antonioni
Ellen Story	Alice K. Wolf
Kay Khan	Steven A. Tolman
William N. Brownsberger	Frank I. Smizik
Steven J. D'Amico	Gloria L. Fox
Mary E. Grant	Timothy J. Toomey, Jr.
Susan C. Tucker	

In the Year Two Thousand and Seven.

AN ACT TO PROTECT THE MENTALLY ILL IN EMERGENCY ROOMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws, as appearing in the 2004 Offi-
2 cial Edition, is hereby amended by inserting after section 51G the
3 following section:—
4 Section 51H. The Department of Public Health and the Depart-
5 ment of Mental Health shall jointly promulgate and enforce regula-
6 tions to ensure the provision of safe and effective care to, and to
7 protect the dignity of, individuals with psychiatric disorders and/or
8 behavioral issues in hospital emergency departments; such regula-
9 tions shall be consistent with evidence based practices and best prac-
10 tices in the fields of mental health, trauma, informed care and
11 emergency medical services, and shall be revised from time to time
12 so as to remain current with such fields. In the promulgations of
13 said regulations the Department of Public Health and the Depart-

14 ment of Mental Health shall seek input from consumer advocate
15 groups including but not limited to M-Power, Inc., Disability Law
16 Center, the Center for Public Representation, the National Alliance
17 for the Mentally Ill of Massachusetts, and the Mental Health Legal
18 Advisors, as well as from the Massachusetts Hospital Association,
19 the Massachusetts College of Emergency Physicians and the Massa-
20 chusetts Emergency Nurses Association.